

**FORM I VOLUNTARY PETITION**

UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND		VOLUNTARY PETITION
IN RE (Name of Debtor- If individual, enter Last, First, Middle) Smith, William Kelly	NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle) Smith, Teresa Mae	
ALL OTHER NAMES used by debtor in the last 6 years (Include married, maiden and trade names)  Smith Jr., William K.	ALL OTHER NAMES used by the joint debtor in the last 6 years (Include married, maiden and trade names)	
SOC. SEC./TAX I.D. NO. (If more than one state all) xxx-xx-8452	SOC. SEC./TAX I.D. NO. (If more than one state all) xxx-xx-1744	
Street Address Of Debtor (No. and street, city, state & zip) 4218- Rear Upper Beckleysville Road Hampstead, Maryland 21074 County of residence or principal place of business: Carroll	Street Address Of Debtor (No. and street, city, state & zip) 4218-Rear Upper Beckleysville Road Hampstead, Maryland 21074 County of residence or principal place of business: Carroll	
Mailing Address Of Debtor (if different from street address)	Mailing Address Of Debtor (if different from street address)	
Location of principal assets of business debtor (If different from addresses listed above)	<p>◆ Debtor has been domiciled or has had a residence, principle place of business or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner or partnership pending in this District.</p>	

**INFORMATION REGARDING DEBTOR (CHECK APPLICABLE BOXES)**

<p>TYPE OF DEBTOR</p> <p>◆ Individual    <input type="checkbox"/> Corporation Publicly held  <input type="checkbox"/> Joint (H&amp;W)    <input type="checkbox"/> Corporation not publicly held  <input type="checkbox"/> Partnership    <input type="checkbox"/> Municipality  <input type="checkbox"/> Other _____</p> <p>NATURE OF DEBT</p> <p>◆ Non-business consumer    <input type="checkbox"/> Business-Complete A&amp;B below</p> <p>A. TYPE OF BUSINESS (check one box)</p> <p><input type="checkbox"/> Farming    <input type="checkbox"/> Transportation    <input type="checkbox"/> Commodity Broker  <input type="checkbox"/> Professional    <input type="checkbox"/> Manufacturing/ Mining    <input type="checkbox"/> Construction  <input type="checkbox"/> Retail/Wholesale    <input type="checkbox"/> Real Estate    <input type="checkbox"/> Railroad    <input type="checkbox"/> Stockbroker  <input type="checkbox"/> Other Business</p> <p>B. BRIEFLY DESCRIBE NATURE OF BUSINESS</p>	<p>CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED (Check one box)</p> <p>◆ Chapter 7    <input type="checkbox"/> Chapter 11    <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 9    <input type="checkbox"/> Chapter 12    <input type="checkbox"/> §304- Case  <p style="text-align: right;">Ancillary to foreign Proceeding</p> <p>FILING FEE (Check One)</p> <p>◆ Filing fee attached  <input type="checkbox"/> Filing fee to be paid in installments. (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3</p> <p>NAME AND ADDRESS OF LAW FIRM OR ATTORNEY</p> <p style="text-align: center;"><b>Haven N. Shoemaker, Jr., Esquire</b>  <b>838 Main Street</b>  <b>Hampstead, Maryland 21074</b>  <b>(410) 239-4600 #10827</b></p> <p>NAME(E) OF ATTORNEY(S) DESIGNATED TO REPRESENT THE DEBTOR: <b>Haven N. Shoemaker, Jr., Esquire</b></p> <p><input type="checkbox"/> Debtor is not represented by an attorney</p> </p>
---	---

STATISTICAL ADMINISTRATIVE INFORMATION (20 U.S.C. §604) (Estimates Only) (Check applicable boxes)

☐ Debtor estimates that funds will be available for distribution to unsecured creditors.  
 ◆ Debtor estimates that after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

ESTIMATED NUMBER OF CREDITORS

◆ 1-15 ☐ 16-49 ☐ 50-99 ☐ 100-199 ☐ 200-999 ☐ 1000- OVER

ESTIMATED ASSETS (In thousands of dollars) OVER

☐ Under 50 ☐ 50-99 ◆ 100-499 ☐ 500-999 ☐ 1000-9999 ☐ 10,000-99,999 ☐ 100,000

ESTIMATED LIABILITIES (in thousands of dollars) OVER

☐ Under 50 ☐ 50-99 ◆ 100-499 ☐ 500-999 ☐ 1000-9999 ☐ 10,000-99,999 ☐ 100,000

ESTIMATED NUMBER OF EMPLOYEES- CH 11 & 12 ONLY

☐ 0 ☐ 1-19 ☐ 20-99 ☐ 100-499 ☐ 500- OVER

ESTIMATED NUMBER OF EQUITY SECURITY HOLDERS- CH 11& 12 ONLY

☐ 0 ☐ 1-19 ☐ 20-99 ☐ 100-499 ☐ 500- OVER

THIS SPACE FOR COURT USE

NAME OF DEBTOR: Smith, William &amp; Teresa

CASE NO.: \_\_\_\_\_

## FILING OF PLAN

For Chapter 9, 11, 12 and 13 cases only. Check appropriate box.

☐ A copy of Debtor's proposed plan dated \_\_\_\_\_ ☐ Debtor intends to file a plan within the time allowed by statute, rule, or Order of the court.

## PRIOR BANKRUPTCY CASE FILED WITHIN LAST 6 YEARS (If more than one, attach additional sheet)

Location Where Filed Baltimore	Case Number 97-65077	Date Filed 11-17-1997
-----------------------------------	-------------------------	--------------------------

## Pending Bankruptcy Case Filed By Any Spouse, Partner, Or Affiliate Of This Debtor (If more than one, attach additional sheet)

Name of Debtor	Case Number	Date
Relationship	District	Judge

## REQUEST FOR RELIEF

Debtor requests relief in accordance with the chapter of title II, United States Code, specified in this petition.

## SIGNATURES

## ATTORNEY

X /s/ Haven N. Shoemaker, Jr., Esquire  
Signature

DATE: 10-15-2004

I declare under penalty of perjury that the information provided in this petition is true and correct.

X /s/William Kelly Smith  
Signature of Debtor  
Date:

X /s/Teresa Mae Smith  
Signature of Joint Debtor  
Date:

I declare under penalty of perjury that the information provided in this petition is true and correct, and that the filing of this petition on behalf of the debtor has been authorized.

X \_\_\_\_\_  
Signature of Authorized Individual
\_\_\_\_\_  
Print or Type Name of Authorize Individual
X \_\_\_\_\_  
Title of Individual Authorized by Debtor to File this Petition  
Date

## EXHIBIT "A" (To be completed if debtor is a corporation requesting relief under chapter 11)

☐ Exhibit "A" Is attached and made a part of this petition.

## TO BE COMPLETED BY INDIVIDUAL CHAPTER 7 DEBTOR With Primarily Consumer Debts (See P.L. 98-353 §322)

I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7 of such title.

If I am represented by an attorney, exhibit "B" has been completed.

X /s/William Kelly Smith  
Signature of debtor

Date:

X /s/Teresa Mae Smith  
Signature of Co-Debtor

Date:

## EXHIBIT "B" (To be completed by attorney for individual chapter 7 debtor(s) with primarily consumer debts)

I, the attorney for the debtor(s) named in the foregoing petition, declare that I have informed the debtor(s) that (he, she, or they) may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X /s/ Haven N. Shoemaker, Jr., Esquire  
Signature of Attorney

Date: 10-15-2004

UNITED STATES BANKRUPTCY COURT

DISTRICT OF MARYLAND

In re: Smith, William &amp; Teresa

Debtor(s) Case No.:

(If Known)

See summary below for the list of schedules. Include Unsworn Declaration under penalty of Perjury at the end.

GENERAL INSTRUCTIONS: Schedules D, E, and F have been designed for the listing of each claim only once. Even when a claim is secured only in part, or entitled to priority only in part, it still should be listed only once. A claim, which is secured in whole or in part, should be listed on Schedule D only. Do not list the same claim twice. If a creditor has more than one claim, such as claims arising from separate transactions, each claim should be scheduled separately.

Review the specific instructions for each schedule before completing the schedule.

### SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I and J in the below boxes provided. Add the amounts from schedules A and B to determine the total amount of the Debtors assets. Add the amounts from Schedules D, E and F to determine the total amount of the Debtors liabilities.

Name of Schedules	Attached Y or N	No. of Sheets	Assets	(Amounts Scheduled) Liabilities	Other
A- Real Property	Y	1	219,900.00	-----	-----
B- Personal Property	Y	2	5,305.00	-----	-----
C- Property Claimed as Exempt	Y	1	-----	-----	-----
D- Creditors holding secured Claims	Y	1	-----	137,680.48	-----
E- Creditor Holding Unsecured Priority Claims	Y	1	-----	0.00	-----
F- Creditors Holding Unsecured non-Priority Claims	Y	1	-----	8,264.46	-----
G- Executory Contracts and Unexpired Leases	Y	1	-----	-----	-----
H- Codebtors	Y	1	-----	-----	-----
I- Current Income of Individual Debtor(s)	Y	1	-----	-----	2,771.79
J- Current Expenditures of Individual Debtor(s)	Y	1	-----	-----	2,573.01
Total Number of sheets of all schedules		11	-----	-----	-----
TOTAL ASSETS			225,205.00	-----	-----
			Total Liabilities: \$145,944.94		

In re: Smith, William &amp; Teresa

Debtor(s) Case No.:

(If Known)

## SCHEDULE A – REAL PROPERTY

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTORS INTEREST IN PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTORS INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
4218-Rear Upper Beckleysville Road	Tenants by entirety		219,900.00	137,680.48

Total: \$219,900.00

(Report also on Summary of Schedules)

## SCHEDULE B – PERSONAL PROPERTY

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTORS INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		Cash		5.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking (M&T)		550.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings including audio, video and computer equipment.		Assorted furniture, TV, vcr		400.00
5. Books, pictures and other art objects, antiques; stamp coin, record tape compact disc, and other collections collectibles.	X			
6. Wearing apparel		Assorted clothing		100.00
7. Furs and jewelry	X			
8. Firearms and sports, photographic and other hobby equipment.	X			
9. Interests in insurance policies.	X			
Name insurance company of each policy and itemize surrender or refund value of each	X			

SCHEDULE B  
PERSONAL PROPERTY

In re: Smith, William &amp; Teresa

Debtor(s) Case No.:

(If Known)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTORS INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
10. Annuities. Itemize and name each issuer.	X	State Pension		
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans, itemize.				
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13. Interest in partnerships joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable instruments.	X			
15. Accounts receivable.	X	Tax refund		3,000.00
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.				
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor and rights to setoff claims. Give estimated value of each.	X			

21. Patents, copyright, and other intellectual property. Give particulars.	X			
22. Licenses, franchises and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		'93 Ford F-150- 500.00 '96 Olds Cutlass- 750.00		1,250.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings and supplies.	X			
27. Machinery, fixtures, equipment, and supplies used in business.	X			
28. Inventory.	X			
29. Animals.	X			
30. Crops- growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			
				TOTAL: \$5,305.00

In Re: Smith, William &amp; Teresa

Debtor(s) Case No.

(if known)

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

**SCHEDULE B (Continued)**

In Re: Smith, William &amp; Teresa

Debtor(s) Case No. (if known)

**SCHEDULE C- PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemption to which debtor is entitled under (Check one box)

- ☐ 11 U.S.C § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states
- ☐ 11 U.S.C § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
cash	Md. Cts. & Jud. Proc. 11-504	5.00	5.00
assorted furniture, TV, vcr	<u>Id.</u>	400.00	400.00
assorted clothing	<u>Id.</u>	100.00	100.00
checking account	<u>Id.</u>	550.00	550.00
tax refund	<u>Id.</u>	3,000.00	3,000.00
State Pension	<u>Id.</u>	0.00	0.00
'93 Ford	<u>Id.</u>	500.00	500.00
'96 Olds	<u>Id.</u>	750.00	750.00
Equity in residence	<u>Tenants by entirety</u>	6,695.00	82,219.52

In re: Smith, William &amp; Teresa

Debtor (s) Case No.:

(If known)

## SCHEDULE D- CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name And Mailing Address Including Zip Code	Date Claim was Incurred. Nature of Lien, and Description and Market Value of Property Subject to Lien	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion If Any
Homecomings Financial PO Box 890036 Dallas, TX 75389	mortgage Value: \$ 219,000.00	\$137,680.48	
	Value:		
	Value:		
	Value:		
	Value:		
	Value:		
	Value:		
	Value:		
	Value:		
	Value:		
		Subtotal (Total of this page)	
		\$	
		TOTAL:	
		\$137,680.48	

\_\_\_\_\_ CONTINUATION SHEETS ATTACHED.



In re: Smith, William &amp; Teresa

Debtor (s) Case No.:

(If known)

## SCHEDULE E- CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

- ♦ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPE OF PRIORITY CLAIMS (Check the appropriate box (es) below. If claims in that category are listed on the attached sheets)

- ☐ Extensions of credit in an involuntary case.

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. §507(a)(2).

- ☐ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees, up to a maximum of \$2000 per employee, earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. §507(a)(3).

- ☐ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. §507(a)(4).

- ☐ Certain farmers and fisherman

Claims of certain farmers and fisherman, up to a maximum of \$2000 per farmer or fisherman, against the debtor, as provided in 11 U.S.C. §507(a)(5).

- ☐ Deposits by individuals

Claims of individuals up to a maximum of \$900 for deposits for the purchase, lease, or rental of property or services for personal, family, or household use that were not delivered or provided. 11 U.S.C. §507(a)(6).

- ☐ Taxes and certain other debts owed to Government units.

Taxes, customs duties, and penalties owing to federal, state, and local government units as set forth in 11 U.S.C. §507(a)(7).

Creditors Name and Mailing Address including Zip Code	Date Claim was Incurred and Consideration for Claim	Total Amount of Claim	Amount Entitled to Priority
NONE			
		Subtotal: (Total of this page)	
		\$	
		TOTAL:	
		\$0.00	

\_\_\_\_\_ CONTINUATION SHEETS ATTACHED.

In re: Smith, William &amp; Teresa

Debtor (s) Case No.:

(If known)

SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS  
(CONTINUATION SHEET)

Creditor's Name and Mailing Address including zip code	Date claim was incurred and consideration on claim. If claim is subject to setoff, so state.	Amount of claim.
Boscov's PO Box 4274 Reading, PA 19606	Consumer debt	116.00
Sears PO Box 182149 Columbus, OH 43218-2149	Consumer debt	2,147.57
The CBE Group, Inc. Direct TV PO Box 78627 Phoenix, AZ 85062-8627	Consumer debt	236.86
Capital One PO Box 25131 Richmond, VA 23276-0001	Consumer debt	406.70
Advanced Center for Orthopedic Surgery & Sports Medicine PO Box 64603 Baltimore, Maryland 21264-4603	Medical bill	60.00
Asset Acceptance LLC C/o Christopher Moylan PO Box 44435 Baltimore, Maryland 21236	Collection account	5,297.33
		Subtotal (Total of this page) \$
		TOTAL: \$ 8,264.46

In re: Smith, William &amp; Teresa

Debtor (s) Case No.:

(If known)

## SCHEDULE G- EXECUTORY CONTRACTS AND UNEXPIRED LEASES

♦ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTORS INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
DOES NOT APPLY	

IN RE: Smith, William & Teresa

Debtor (s) Case No.:

(If known)

SCHEDULE H- CODEBTORS

◆ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
DOES NOT APPLY	

IN RE: Smith, William &amp; Teresa

Debtor(s) Case No:

(If Known)

## SCHEDULE I- CURRENT INCOME OF INDIVIDUAL DEBTOR (S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's marital status:  married	Dependants of Debtor and Spouse: Names:  Carolyn Smith Casey Pate	Age:  10 2	Relationship:  Daughter Guardian
Employment:		Spouse	
Occupation:  Guard		Labor	
Name of Employer: State of Maryland, Division of Correction		Spring Meadow Farm	
How long employed: 12 years		2 weeks	
Address of Employer: Baltimore, Maryland		Upperco, Maryland	

Income: (Estimate of average monthly income)

Debtor

Spouse

Current monthly gross wages, salary, and commissions (pro rate  
If not paid monthly)

\$ 3583.00

\$ 554.00

Estimate monthly overtime:

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Subtotal:

\$ \_\_\_\_\_

\$ \_\_\_\_\_

## LESS PAYROLL DEDUCTIONS

- a. Payroll taxes and social security
- b. Insurance
- c. Union Dues
- d. Other (Specify)

\$ \_\_\_\_\_

\$ \_\_\_\_\_

SUBTOTAL OF PAYROLL DEDUCTIONS

\$ \_\_\_\_\_

\$ \_\_\_\_\_

TOTAL NET MONTHLY TAKE HOME PAY

\$ 2400.61

\$ 371.18

Regular Income from operation of business or profession or farm  
(attach detailed statement)

Income from real property

Interest and dividends

Alimony, maintenance or support payment- payable to the debtor  
for the debtors use or that of dependents listed above.

Social Security or other government assistance (specify)

Pension or retirement income

Other Monthly income (specify)

\$ \_\_\_\_\_

\$ \_\_\_\_\_

TOTAL MONTHLY INCOME:

\$ \_\_\_\_\_

\$ \_\_\_\_\_

TOTAL COMBINED MONTHLY INCOME

**\$ 2,771.79** (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document.

IN RE: Smith, William &amp; Teresa

Debtor(s) Case No:

(If Known)

## SCHEDULE J- CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR (S)

Complete this schedule by eliminating the average monthly expenses of the Debtor and the Debtor's family. Pro-rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rates.

☐ Check this box if a joint petition is filed and Debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home).....1205.00

Are real estate taxes included? ☐ Yes ☐ No Is property insurance included? ☐ Yes ☐ No

Utilities...Electricity and heating fuel.....164.00

Water and sewer.....

Telephone.....70.00

Other.....

Home maintenance (repairs and upkeep)..... 150.00

Food.....400.00

Clothing.....50.00

Laundry and dry cleaning..... 20.00

Medical and dental expenses.....20.00

Transportation (not including car payments).....200.00

Recreation, clubs and entertainment, newspapers, magazines, etc.....

Charitable Contributions.....

Insurance (not deducted from wages or included in home mortgage payments)

Homeowners or renters.....

Life.....

Health.....

Auto.....294.01

Other.....

Taxes (not deducted from wages or included in home mortgage payments)  
(Specify)

Installment payments: (In Chapter 12 and 13 cases, do not list payments to be included in the plan)

Auto.....

Other.....

Alimony, maintenance, and support paid to others.....

Payments for support of additional dependants not living at your home.....

Regular expenses from operation of business, profession, or farm (attach detailed statement).....

Other.....

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules).....**\$2,573.01**

(For Chapter 12 and 13 Debtors Only)

Provide the Information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income.....\$2,771.79

B. Total projected monthly expenses.....\$2,573.01

C. Excess Income (A minus B).....\$198.78

D. Total amount to be paid into plan each **month**.....\$180.00  
(Interval)

UNITED STATES BANKRUPTCY COURT

DISTRICT COURT OF MARYLAND

IN RE: **Smith, William & Teresa**

DEBTOR (S) Case No.:

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a sample statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-15 are to be completed by all debtors. Debtors that are to have been in business as defined below, also must completed Questions, 16-21. Each question must be answered. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

## DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner of a partnership, a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101(30).

☐ None 1. Income from Employment or Operation of Business

State the gross amount of income the debtor has received from employment, trade, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

2003- \$40,966.46

Give AMOUNT and SOURCE (If more than one).

◆ None 2. Income other than from employment or operation of business.

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Give AMOUNT and SOURCE

3. Payments to creditors:

☐ None a. List all payments on loans, installments purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give names and address of creditor, dates of payments, amounts paid and amount still owing.

Mortgage

◆ None. b. List all payments made within one year immediately preceding the commencement of this case to for the benefit of

creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of creditor and relationship to debtor date of payment, amount paid and amount still owing.

#### 4. Suits, executions, garnishment and attachments

☐ None a. List all suits to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give caption of suit and cash number, nature of proceeding court and location and status or disposition.

Asset Acceptance LLC vs. William Smith; District Court of Maryland for Carroll County; 286-2004; \$600 garnishment from wages in October 2004.

◆ None b. Describe all property that has been attached, garnished, or seized under any legal or equitable process within one year immediately preceding the commencement of this case (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address or person for whose benefit property was seized, date of seizure and description and value of property.

#### ◆ None 5. Repossessions, foreclosures, and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of creditor or seller, date of repossession, foreclosure sale, transfer or return and description and value of property.

#### 6. Assignments and receiverships

◆ None a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of custodian, name and location of court case title & number, date of order and description and value of property.

◆ None b. List all property, which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses are separated and a joint petition is not filed.) Give name and address of custodian, name and location of court, case title & number, date of order and description and value of property.

#### ◆ None 7. Gifts

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint



petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of person or organization, relationship to debtor, if any date of gift and description and value of gift.

♦ None 8. Losses

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give description and value of property, description of circumstances and if loss was covered in whole or in part by insurance. Give particulars and date of loss.

☐ None 9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case. Give name and address of payee, date of payment, name of payor, if other than debtor and amount of money or description and value of property.

\$396.00 (\$806.00 for Chapter 13) to  
Haven N. Shoemaker, Jr., Esq., for  
preparation of petition and representation  
at the §341 hearing (and if Chapter 13  
filed) Confirmation hearing.

♦ None 10. Other transfers

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of transferee, relationship to debtor, date and describe property transferred and value received.

♦ None 11. Closed financial accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments, shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 and chapter 13 must include information concerning accounts or instruments, held by or for either or both spouses are separated and a joint petition is not filed.) Give name and address of institution type and number of account and amount of final balance and amount and date of sale or closing.

♦ None 12. Safe deposit boxes

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses are separated and a joint petition is not filed.) Give name and address of bank or other depository, names and addresses of those with access to box or depository descriptions of contents and date of transfer or surrender, if any.

♦ None 13. Setoffs

List all setoffs made by any creditor, including a bank against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of creditor, date of setoff and amount of setoff.

♦ None 14. Property held for another person.

List all property owned by another person that the debtor holds or controls. Give name and address of owner, description and value of property and location of property.

♦ None 15. Prior address of debtor.

If the debtor has moved within the last two years immediately preceding the commencement of this case, list all premises, which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse. Give address, name used, and dates of occupancy.

Unsworn Declaration under Penalty of Perjury

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date:

Signature of Debtor: /s/William Kelly Smith

Date:

Signature of Co-Debtor (if any): /s/Teresa Mae Smith

\_\_\_\_\_ continuation sheets attached

Penalty for making false statements: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§152 and 3571

## United States Bankruptcy Court

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR (S)

If you intend to file a petition for relief under the bankruptcy laws of the United States, and your debts are primarily consumer debts, the Clerk of Court is required to notify you of each chapter of the Bankruptcy Code under which you may seek relief. You may proceed under:

**Chapter 7** - Liquidation, or  
**Chapter 11**- Reorganization, or  
**Chapter 13**- Adjustment of Debts of an Individual  
with Regular income

If you have any questions regarding the information contained in this notice, you should consult with your attorney.

**Clerk of Court**

### ACKNOWLEDGEMENT

I hereby certify that I have read this notice.

DATED:

/s/William Kelly Smith  
Debtor

/s/Teresa Mae Smith  
Joint Debtor, If any

**INSTRUCTIONS:** *If the debtor is an individual, a copy of this notice personally signed by the debtor must accompany any bankruptcy petition filed with the Clerk. If filed by joint debtors, the notice must be personally signed by each. Failure to comply may result in the petition not being accepted for filing.*

In re: **Smith, William & Teresa**

Debtor(s) Case No.:

(if known)

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information and belief.  
(Total shown on summary page plus 1)

DATE

Signature: /s/William Kelly Smith  
(Debtor)

DATE

Signature: /s/Teresa Mae Smith  
(Joint Debtor, if any)

(If joint case, both spouses must sign)

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information and belief.  
(Total shown on summary page plus 1)

DATE

Signature \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

(An Individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.)

Penalty for making false statements: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§152 and 3571

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MARYLAND

IN RE: Smith, William & Teresa  
SSN: xxx-xx-

Debtors Case No.:

Chapter 7

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s), or Debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of Creditors, consisting of 1 sheet(s) is complete, correct and consistent with the Debtor's schedules pursuant to Local Bankruptcy Rules and I/We assume all responsibility for errors or omissions.

Dated: October 15, 2004

/s/William Kelly Smith  
Debtor

/s/Teresa Mae Smith  
Co-Debtor